

REMARKS

Claims 1-17 are pending.

ELECTIONS/RESTRICTIONS

The Examiner has required a restriction to one of an alleged 192 inventions encompassed by the 17 pending claims. The Examiner contends that the pending claims do not relate to a single inventive concept under PCT Rule 13.1 because the claims lack the same or corresponding technical feature under PCT Rule 13.2. In particular, the Examiner contends that the “special technical feature” of the pending claims is TMEFF1 protein and/or nucleic acid, which was known in the art. Thus, because the alleged “special technical feature” was known, it does not make a contribution over the prior art and does not satisfy PCT Rule 13.2. Applicants respectfully disagree with the Examiner’s characterization of the special technical feature of the inventions encompassed by the instant claims.

Applicants do not dispute that TMEFF1 protein and/or nucleic acid was known in the art at the time of filing of the instant application; however, Applicants have discovered for the first time that TMEFF1 modulates TGF β signaling and would therefore be useful in the methods encompassed by the instant claims. Accordingly, it is this previously unrecognized function of TMEFF1 as instantly claimed that is the “special technical feature” providing a contribution over the prior art. Thus, the claims satisfy PCT Rule 13.2, and Applicants request reconsideration of the restriction requirement.

Applicants also note that Groups 187-189 appear to repeat the alleged inventions listed as groups 175-177: claims 14-17, drawn to a method for differentiating stem cells, using an antibody to human, rat or mouse TMEFF1.

In order to be fully responsive, Applicants hereby provisionally elect Group 175 (or 187), claims 14-17, drawn to a method for differentiating stem cells, using an antibody to human TMEFF1.

Applicants fully reserve the right to prosecute the subject matter of the non-elected inventions in one or more related applications. In addition, Applicants retain the right to petition from the restriction requirement under 37 C.F.R. § 1.144.

Applicants respectfully request that the above remarks and amendments be entered and made of record in the file history of the instant application.

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Respectfully submitted,


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